

Message Text

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ACTION SS-30

INFO OCT-01 ISO-00 CCO-00 SSO-00 NSCE-00 DODE-00 CIAE-00

USSS-00 NSAE-00 INRE-00 /031 W

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O R 201539Z OCT 73

FM AMEMBASSY LONDON

TO SECSTATE WASHDC IMMEDIATE 4979

AMEMBASSY ABU DHABI IMMEDIATE

AMEMBASSY KUWAIT IMMEDIATE

AMCONSUL DHAHRAN IMMEDIATE

AMEMBASSY JIDDA IMMEDIATE

INFO CINCUSNAVEUR

USCINCEUR

COMIDEASTFOR

C O N F I D E N T I A L LONDON 12239

EXDIS

KUWAIT AT YOUR DISCRETION ALSO FOR DOHA AND MUSCAT

E.O. 11652: GDS

TAGS: AEMR TC OM QA SA

SUBJECT: US-UK E&E AGREEMENT FOR SELECTED GULF STATES AND
EASTERN SAUDI ARABIA

REF: ABU DHABI 1424 (NOTAL)

SUMMARY: WE REQUEST ADDRESSEE COMMENTS AND DEPARTMENT'S INSTRUCTIONS
IN CONNECTION WITH PARAGRAPH IN US-UK EVACUATION AGREEMENT WHICH
COULD RESULT IN AGREEMENT HAVING NO PRACTICAL EFFECT AT THE VERY LAST
MOMENT, SHOULD AMERICAN CITIZENS IN GULF REQUIRE EVACUATION BEFORE
BRITISH HAD DECIDED TO EVACUATE BRITISH CITIZENS. END SUMMARY.

1. FCO WORKING-LEVEL OFFICER WHO HAS BEEN REVIEWING E&E CONTINGENCY
PLANNING JUST CALLED US TO POINT OUT PARAGRAPH 7 OF STOLTZFUS-
TREADWELL 1971 AGREEMENT. UPON READING IT, WE HAVE TO AGREE WITH HIS
CONCLUSION THAT IT RELEASES BRITISH IN DOHA, ABU DHABI, AND MUSCAT
CONFIDENTIAL

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OF RESPONSIBILITY FOR IMPLEMENTING EVACUATION OF AMERICAN CITIZENS
IF BRITISH HAVE NOT DECIDED TO EVACUATE THEIR OWN CITIZENS. (REVERSE
WOULD APPLY FOR US RESPONSIBILITY IN EASTERN SAUDI ARABIA IF US
CITIZENS NOT BEING EVACUATED). PARA 7 READS AS FOLLOWS: "IN THE

ABSENCE OF A DECISION BY THE US AMBASSADOR IN JIDDA TO EVACUATE US CITIZENS FROM THE EASTERN PROVINCE OF SAUDI ARABIA AND THE GENERAL AREA OF RIYADH A DECISION TO EVACUATE BRITISH SUBJECTS, PROTECTED PERSONS ETC FROM THIS AREA WILL BE IMPLEMENTED BY HM AMBASSADOR IN JEDDA. SIMILARLY IN THE ABSENCE OF A DECISION BY THE APPROPRIATE BRITISH POLITICAL AUTHORITIES TO EVACUATE BRITISH CITIZENS FROM ONE OR MORE OF THE LOWER GULF STATES A DECISION TO EVACUATE US CITIZENS FROM THIS AREA WILL BE IMPLEMENTED BY THE US AMBASSADOR IN KUWAIT ACTING, AS APPROPRIATE, THROUGH HIS REPRESENTATIVES IN THE LOWER GULF STATES."

2. WE NOTE THAT A CONTRARY INTERPRETATION IS CURRENTLY HELD BY BRITISH AMBASSADOR MCCARTHY IN ABU DHABI AND THAT EMBASSY ABU DHABI IS RELYING ON THE INTERPRETATION, TO WIT THAT BRITISH WOULD IMPLEMENT US EVACUATION EVEN IF NOT EVACUATING THEIR OWN CITIZENS (REFTEL PARA 3). IF CRUNCH CAME, HOWEVER, BRITISH AMBASSADORS ELSEWHERE IN GULF MIGHT INTERPRET AGREEMENT LITERALLY, OR FCO MIGHT INSTRUCT THEM AND MCCARTHY ACCORDING TO LITERAL INTERPRETATION OF AGREEMENT'S PARA 7. SUCH LITERAL INTERPRETATION MIGHT BE PARTICULARLY AWKWARD IF USG HAS MADE NO ALTERNATIVE EVACUATION PREPARATIONS.

3. WE HAVE NOT GIVEN OUR OPINION OF PARA 7 TO FCO OFFICIAL PENDING A REVIEW OF AGREEMENT AS A WHOLE. UNDER CIRCUMSTANCES, AND GIVEN LONG WEEKEND, IT COULD TAKE US TWO OR MORE DAYS TO GET OUR REPLY BACK TO HIM. WE CANNOT BE SURE HOW LONG HE WILL HOLD OFF ACTION, HOWEVER. THEREFORE REQUEST ADDRESSEE COMMENTS AND DEPARTMENT'S INSTRUCTIONS BY IMMEDIATE CABLE ASAP.

4. FROM LONDON, IT APPEARS TO US THAT PARA 7 RUNS CONTRARY TO SPIRIT OF AGREEMENT AND WOULD IN FACT LEAVE THE PARTIES WORSE OFF IF IT BECAME OPERATIONAL THAN THEY WOULD HAVE BEEN WITHOUT ANY AGREEMENT AT ALL. AGREEMENT ENCOURAGES RELIANCE FOR EVACUATION ON BRITISH IN GULF (AND US IN EASTERN SAUDI ARABIA) UNTIL LAST MOMENT, WHEN EVACUATION IMPLEMENTATION COULD SUDDENLY BE SHIFTED BACK TO US (OT BACK TO BRITISH IN CASE OF EASTERN SAUDI ARABIA). WE THINK THIS IS IMPORTANT ENOUGH WEAKNESS TO WARRANT EFFORT TO GET AGREED INTERPRETATION BETWEEN US AND UK EITHER CANCELING PARA 7 (WHICH WOULD APPEAR CONFIDENTIAL

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PREFERRED COURSE) OR CANCELING THE AGREEMENT.

5. IT IS PERTINENT THAT BRITISH IN LONDON AT LEAST GENERALLY BELIEVE THEIR CITIZENS ARE LESS LIKELY TO REQUIRE EVACUATION ANYTIME IN THE IMMEDIATE FUTURE THAN ARE OURS. THIS MIGHT TEMPT BRITISH TO SLIP RESPONSIBILITY AND EXPENSE OF US CITIZEN EVACUATION SHOULD THAT BECOME NECESSARY BEFORE BRITISH EVACUATION. ON OTHER HAND, HIGHER LEVELS OF FCO ARE WELL AWARE OF IMPORTANCE TO OVERALL BRITISH INTERESTS IN GULF OF CLOSEST POSSIBLE COOPERATION WITH UG. THUS WE THINK ON BALANCE THERE IS GOOD CHANCE THEY WOULD AGREE TO OVERLOOK OR EXCISE PARA 7 IF APPROACHED IN TIME.

6. WE NOTE THAT AGREEMENT CALLS FOR MUTUAL REVIEW "DURING EARLY

1973 OR BEFORE THAT DATE IF CIRCUMSTANCES REQUIRE." WE ASSUME SUCH
PROVISION COULD SERVE AS LEGAL JUSTIFICATION FOR EXCISE OF PARA 7
BY MUTUAL CONSENT.

7. ACTION REQUESTED. WE SHALL AWAIT DEPARTMENT'S INSTRUCTIONS.
ANNENBERG

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<< END OF DOCUMENT >>

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